

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SONYA TOWNSEND, NEXT FRIEND	:	
OF SO'REL IRENE WOODS,	:	
 Plaintiff,	:	
 vs.	:	Case No. 3:02cv185
 CITY OF MIAMISBURG, et al.,	:	JUDGE WALTER HERBERT RICE
 Defendants.	:	

DECISION AND ENTRY SUSTAINING IN PART AND OVERRULING IN PART MOTION FOR SUMMARY JUDGMENT FILED BY DEFENDANT JOEL MITCHELL (DOC. #75); DECISION AND ENTRY SUSTAINING MOTION FOR SUMMARY JUDGMENT FILED BY DEFENDANTS MIAMISBURG BOARD OF EDUCATION AND MIAMISBURG CITY SCHOOLS (DOC. #77)

Based upon reasoning and citations of authority, to be set forth in an Expanded Opinion which will be filed shortly, the Court sustains in part and overrules in part, the Motion for Summary Judgment filed by Defendant Joel Mitchell (Doc. #75) and sustains the Motion for Summary Judgment filed by Defendants Miamisburg Board of Education and Miamisburg City Schools

(Doc. #77). In that Expanded Opinion, the Court will also resolve the question of whether Mitchell is entitled to qualified immunity.

September 29, 2005

/s/ Walter Herbert Rice

WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

Counsel of Record.